

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

STEVENS CONSTRUCTION CORP.,

Plaintiff,

v.

Case No. 04-C-1144

CHICAGO REGIONAL COUNCIL OF
CARPENTERS, UNITED BROTHERHOOD
OF CARPENTERS & JOINERS OF AMERICA,

Defendant.

OPINION AND ORDER

The parties to this action have filed cross motions for summary judgment. However, because the parties contend that all material facts are in dispute, the court **ORDERS** that the “Defendant/Counter-Plaintiff’s Motion for Summary Judgment on Counts I and II of Its Counterclaim” (filed June 30, 2005) **IS DENIED**.

IT IS FURTHER ORDERED that the “Plaintiff’s Motion for Summary Judgment” (filed June 30, 2005) **IS DENIED**.

IT IS FURTHER ORDERED that, prior to filing the final pretrial reports, the parties shall meet to compose one list of stipulated facts and a list of disputed facts. In addition, the parties shall file one list of proposed conclusions of law supported by citations to authority from the Seventh Circuit.

Done and Ordered in Chambers at the United States Courthouse, Milwaukee,
Wisconsin, this 7th day of September, 2005.

s/ Thomas J. Curran
THOMAS J. CURRAN
United States District Judge